

DOCKETED **FILED**

MAY 26 1976

*H. STUART CUNNINGHAM
8 o'clock
CLERK*

D3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|--------------------------|---|------------------------------|
| THE MAGNAVOX COMPANY, |) | |
| a Corporation, and |) | |
| SANDERS ASSOCIATES, INC. |) | |
| a Corporation, |) | Consolidated |
| |) | Civil Actions |
| Plaintiffs, |) | 74 C 1030 |
| |) | 74 C 2510 |
| v. |) | 75 C 3153 |
| |) | 75 C 3933 |
| BALLY MANUFACTURING |) | |
| CORPORATION, |) | |
| a Corporation, et al., |) | <u>NOTICE OF DEPOSITIONS</u> |
| Defendants. |) | |

Please take notice that Atari, Inc. will take the following depositions at the times and places indicated pursuant to the Federal Rules of Civil Procedure:

June 3, 1976 - 10:00 a.m. at the offices of Evans and Sutherland, 580 Arapene Drive, Salt Lake City, Utah -- Rodney S. Rougelot and Edward Wilde

June 4, 1976 - 10:00 a.m. at NASA, Johnson Space Center, EG-3, Houston, Texas -- William Miller, Fred T. Pearce and James Smith

June 7, 1976 - 10:00 a.m. at General Electric Aerospace Controls and Electrical Systems, Product Dept., Binghamton, New York -- Nick Ide and under F.R.C.P. 30(b)(6) General Electric Corp.

June 8, 1976 - 10:00 a.m. at General Electric, Electronics Park, Syracuse, New York -- Werner Sharp, William Purdy and, under F.R.C.P. 30(b)(6) General Electric Corp.

Subpoena duces tecum are to be served on the above deponents and the designation of material to be produced as set forth in the subpoenas attached hereto.

June 9, 1976 - 10:00 a.m. at Brookhaven National Laboratories, Upton, New York --
David W. Potter and William A. Higinbotham

June 10, 1976 - 10:00 a.m. at Control Data Corporation,
4201 North Lexington Avenue, St. Paul,
Minnesota -- Arthur C. Downing, Manager,
Software Products Services

William M. Lee, Jr.

Lee & Smith
Ten South Riverside Plaza
Suite 330
Chicago, Illinois 60606
(312) 726-1982

Of Counsel for Sears

C. Ronald Olbrysh
Sears, Roebuck & Company
Sears Tower
Department 766
Chicago, Illinois 60684
(312) 875-9215

Of Counsel for Sears and Atari

Flehr, Hohbach, Test,
Albritton & Herbert
Thomas O. Herbert
Edward S. Wright
160 Sansome Street - 15th Floor
San Francisco, California 94104
(415) 781-1989

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and a resident of the City and County of San Francisco, I am over the age of eighteen years and not a party to the above entitled action. My business address is 160 Sansome Street, San Francisco, California 94104. On May 25, 1976 I served the foregoing Notice of Depositions on the opposing attorneys in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

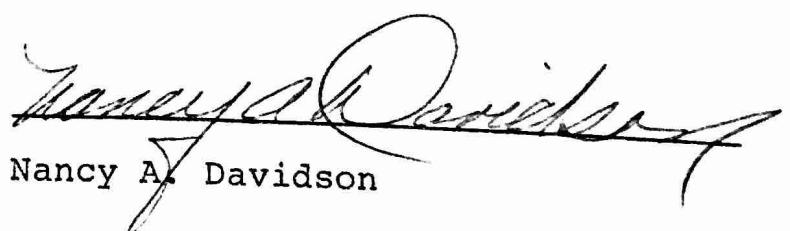
Neuman, Williams, Anderson & Olson
77 West Washington Street
Chicago, Illinois 60602

Threedy & Threedy
111 West Washington Street
Chicago, Illinois 60602

McDougall, Hersh & Scott
135 South LaSalle Street
Chicago, Illinois 60603

I, Nancy A. Davidson, declare, under penalty of perjury, that the foregoing is true and correct.

Executed on May 25, 1976


Nancy A. Davidson

DOCUMENTS REQUESTED

1. All documents and things describing or showing General Electric Flight Simulators and Joint Army Navy Aircraft Instrument Research Systems utilizing a television raster scan display and of the type demonstrated at NASA, Houston, Texas in about 1962 and 1965; delivered to NASA, in or about 1964 and modified in or about 1967.

2. All documents and Things describing or showing use of the Simulator set forth in paragraph 1 above including, but not limited to:

A. A display of a lunar scape with a sun shadow of a lunar module maneuvering over a textured surface (see e.g. NASA film roll No. S71-155).

B. A display of Landing and Take Off from an aircraft carrier (see e.g. NASA film roll No. S71-132 and Aviation Week and Space Technology, October 30, 1967, p. 78).

C. A display of a helicopter (tank battle with tracer bullets (see e.g. NASA film S71-132 and still photos S-68-22972 and S-68-22970)

D. A display of docking a lunar module with a command service module (see e.g. NASA film No. S71-155)

3. All documents and things which establish or tend to establish the dates on which the Simulators set forth in paragraph 1 above were manufactured, publically shown, offered for sale and delivered.

4. All documents and things which establish, or tend to establish the dates on which the uses set forth in paragraph 2 above occurred.